

Division of Workforce Development

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Director

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SUBJECT: Welfare-to-Work (WtW) Participant Eligibility Guidelines

1. Purpose: To transmit clarification and policy guidance regarding WtW eligibility for TANF recipients with high school diplomas or equivalency certificates issued in countries other than the United States.
2. Substance: Currently, WtW eligibility requirements in the 70% category state that an applicant meets the criteria if he/she:
 - A. Is a current TANF recipient of 30 or more months;
 - B. Faces termination from TANF within 12 months due to reaching lifetime limit;
 - C. Has exhausted TANF benefits due to lifetime limit, but would otherwise be eligible for receipt of TANF;
 - D. Is a non-custodial parent where the custodial parent or the minor child meets one of the above criteria

AND

He/she also meets at least two of the following barriers to employment:

- A. No high school diploma/GED AND low reading or math skills;
- B. Requires substance abuse treatment for employment; or
- C. Has poor work history.

Clarification was requested from the U.S. Department of Labor (DOL) regarding the eligibility of individuals that have obtained a high school diploma or equivalency certificate from a country other than the United States.

Based on guidance received from DOL and the authority granted to States to issue policies regarding this issue, the Division of Workforce Development has determined that in cases of non-English speaking WtW applicants only, receipt of a high school diploma or equivalency certificate from another country may be disregarded when determining eligibility under the 70% criteria. These individuals may be determined as meeting the first barrier to employment if they have low reading or math skills only.

3. Action: This issuance becomes effective upon receipt for WtW expenditures and allowable activities and services, and should be distributed to all appropriate staff.
4. Contact: Please contact Bev Kelsay at 573/526-8259 or Susan Petersen at 573/526-8266 regarding operational/programmatic issues.
5. Cross/Historical: Statutory Authority is Title IV, Part A of the Social Security Act as amended by Section 403(a)(5) of the Balanced Budget Act of 1997. Regulatory Authority is 20 CFR Part 645 (pp. 61588-61613 of the Tuesday, November 18, 1997 Federal Register (Vol. 62, No. 222). U.S. Department of Labor's WtW homepage (wtw.doleta.gov) WtW Q&A question number E21.

Tom Jones, Director

TJ/BK/dp

cc: DWD Managers
 PIC Liaisons